

**CITY OF MUSKEGON**  
**PLANNING COMMISSION**  
**REGULAR MEETING**

DATE OF MEETING: Thursday, May 13, 2021  
TIME OF MEETING: 4:00 p.m.  
PLACE OF MEETING: Zoom / City of Muskegon Government Facebook Page

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**AGENDA**

- I. Roll Call
- II. Approval of Minutes from the regular meeting of April 15, 2021.
- III. Public Hearing
  - A. Hearing, Case 2021-10: Request for Final Planned Unit Development approval at 151 N Causeway for the redevelopment of the former power plant site for new bulk materials storage for shipping, by Verplank Family Holding Company.
  - B. Hearing, Case 2021-11: Request for a departure for the form based code section of the zoning ordinance to allow new glass windows without a visual light transmittance of at least 70% at 1042 Terrace St, by Panyard Building LLC.
  - C. Hearing, Case 2021-12: Request for a special use permit to operate a crematory at 1765 Peck St, by Fountain Funeral Home LLC.
- IV. New Business
- V. Other
  - A. Updates on previous cases
- VI. Adjourn

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CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting, upon 24- hour notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or

calling the following:  
Ann Meisch, City Clerk  
933 Terrace Street  
Muskegon MI 49440

## STAFF REPORT

May 13, 2021

Hearing, Case 2021-10: Request for Final Planned Unit Development approval at 151 N Causeway for the redevelopment of the former power plant site for new bulk materials storage for shipping, by Verplank Family Holding Company.

### SUMMARY

1. The property is zoned Waterfront Industrial PUD (WI-PUD). Please see the enclosed ordinance, which states that the intent of this district is to require planned unit developments for all projects to ensure a mix of port uses that enhances the industrial economic base of the city.
2. The project is located at the former Consumers Energy power plant.
3. The applicant is proposing to construct a new 10,000 sf bulk materials storage building for shipping operations.
4. The master plan indicates that all shipping activities should be moved to the east end of the lake.
5. The development will occur within 500 feet of the lake, so the applicant is required to obtain a stormwater permit from the Muskegon County Drain Commissioners office. The applicant has already applied for the permit, but has not received an answer yet.
6. The Public Works Director has indicated that the drain filed location is directly adjacent to the bike path. The raised drain field must not impede drainage from the bike path or impact the use of that facility in any way. In addition to any potential drainage impacts we need to maintain at least two foot of clearance along the edge of the paved trail, free of any obstructions.
7. Notice was sent to applicants within 300 feet of the property. At the time of this writing, staff had not received any comments from the public.

### Zoning Map



## Aerial Map



## STAFF RECOMMENDATION

Staff recommends approval (with conditions) of the request as it helps accomplish the goal of moving shipping operations to the east end of the lake.

### Conditions:

- The raised drain field must not impede drainage from the bike path or impact the use of that facility in any way.
- There must be at least two foot of clearance along the edge of the paved trail, free of any obstructions.
- The applicant must also receive a stormwater permit from the Muskegon County Drain Commissioners office.

## DELIBERATION

I move that the request for Final Planned Unit Development approval at 151 N Causeway be recommended to the City Commission for (approval/denial) with the staff conditions listed.



Hearing, Case 2021-11: Request for a departure for the form based code section of the zoning ordinance to allow new glass windows without a visual light transmittance of at least 70% at 1042 Terrace St, by Panyard Building LLC.

## SUMMARY

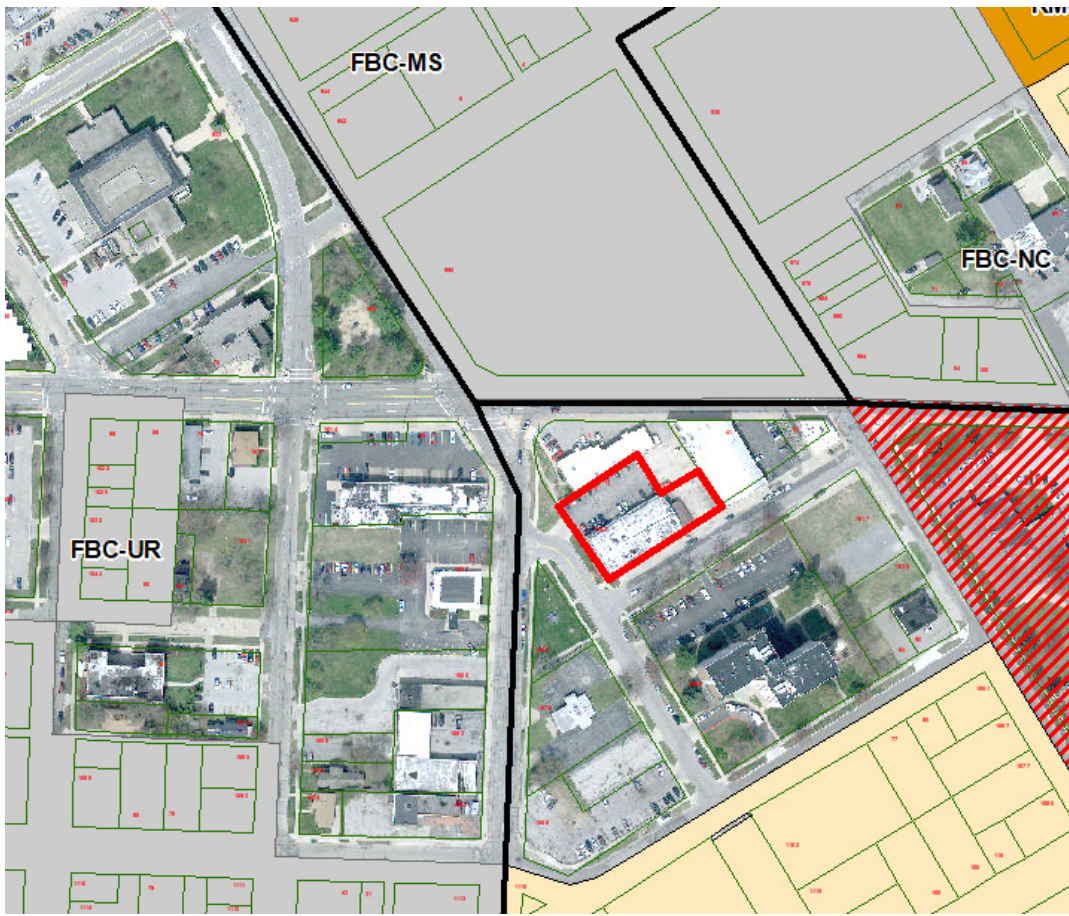
1. The property is zoned Form Based Code, Neighborhood Core (FBC-NC).
2. The applicant will be remodeling the building and replacing the front windows with the originally larger-sized windows. The applicant is requesting to have dark, reflective glass on these new windows.
3. All buildings in FBC districts are required to have windows on the first floor with a visual light transmittance of 70% or higher. This is a design standard to limit reflective/black-out glass.
4. Please see the articles on the following pages regarding design and the importance of clear glass in downtown districts.
5. Notice was sent to applicants within 300 feet of the property. At the time of this writing, staff had not received any comments from the public.

**Existing Windows on Site**





**Zoning Map**



**Aerial Map**



# 88

## Make Sticky Edges

*Energize public spaces with active, deep facades.*

IN JAN GEHL'S *CLASSIC Cities for People*, the index contains thirty-six distinct entries under the term "edges." Gehl understands—and has helped us to understand—how the quality of a place's perimeter is largely responsible

*Codes should require that long facades in would-be walkable areas provide vertical members at their lower stories.*

for its success or failure as public space. He uses the term "soft edges" to describe the objective, noting that people almost always linger at the perimeter of a space rather than the center, but that the most successful edges offer more than a blank wall or a sheet of mirror glass.<sup>249</sup> The best do two things well: they are *active*, and they are *thick*.

### Active Facades

Active facades provide the street with interest and energy. In terms of what can be written into city codes, these quali-

ties translate into percentage of openings, rhythm, and limited repetition:

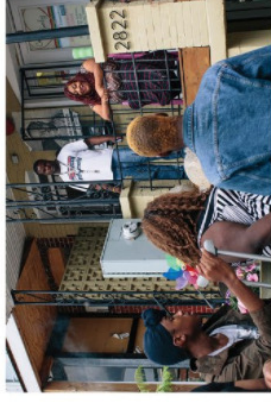
- The bluntest instrument for avoiding blank walls is a minimum openings percentage. In its "active facade" zones, the City of Melbourne sets a minimum of 60%;<sup>250</sup> which is appropriate to retail uses. Residential facades can have a minimum closer to 25%, to allow punched openings, but this rule should be tied to a "no blank walls" requirement that demands a window or door every 10 feet or less on each story.
- Rhythm is provided by buildings having vertical rather than horizontal articulation. The ribbon window of early modernism does many things, but it does not support an interesting walk, as it stretches out distances and provides no articulation as you move past. Codes should require that long facades in would-be walkable areas provide vertical members at their lower stories.
- Limited repetition is provided by encouraging small

increments of development and, where that is not possible, breaking up long buildings into distinct segments. This specific practice is described ahead under Rule 90.

### Thick Facades

What makes a potential shopper more likely to enter a store? What makes a resident more likely to interact with passers-by? What makes pedestrians more likely to stop and hang out for a while? All these questions have the same answer: robust transition zones between the insides and the outsides of buildings, architectural features that attenuate the path from public to private. In shorthand, these can be called thick facades. Thick facades take the following forms.

- **Retail:** Sidewalk dining, benches against facades, placards and merchandise in the frontage zone (see Rule 80), entry alcoves flanked by display windows, roll-up and other wide-open warm-weather facades, arcades, window counters and window bars (the drinking kind), upstairs balconies, and other overhangs abound; most retail facades should have some form of awning. The goal is to blur the distinction between the shop and the sidewalk.
- **Residential:** Short setbacks, front porches and stoops, bay windows, balconies, and active front-yard gardens abound. A new best-practice among



Front porches enable neighborly interactions that simply would not happen otherwise.

skilled multifamily developers is to make first-floor apartments look like rowhouses by giving them stoops and front doors, even though they may still be hallway-served.

- **Office:** First-floor offices in would-be walkable locations are always a challenge. Where possible, they should be given transitional spaces like bay windows and porches against the sidewalk, similar to residential uses. But a better approach, one becoming favored among office tenants, is to forgo the large glamorous lobby in favor of leasing out as much space as possible to amenity retail such as restaurants and coffee houses, which can provide proper storefronts instead.

### RULE 88: Achieve active and thick facades through requirements and/or incentives for minimum

openings, vertical articulation, variety, awnings, stoops, porches, balconies, bay windows, entry alcoves, and other semipublic attachments.



# SECURITY & LIGHTING

## SECURITY

Storefront security is paramount in any successful retail environment and any neighborhood. However, common security elements such as metal bars and metal roll-down grates create a sense of fear and suggest a crime-plagued area. These perceptions, whether real or not, result in a decrease in popularity and prosperity of a commercial zone.

Solid grates are a liability for the same kind of reasons: they detract from the neighborhood quality of the street, they make pedestrians feel unsafe, they conceal the interior from view, and they are hard to keep free of graffiti. When open-mesh grates are an absolute necessity, they are best built into the interior of the storefront ceiling where they may be concealed during the day.

There are a variety of ways of securing a business without these kinds of exterior fortifications. Large, transparent windows and doors allow pedestrians and traffic to visually monitor business safety. Security measures can also be enhanced through discrete solutions such as quality locks, internal alarms and notification systems, laminate safety glass and community watch efforts.

FOR ADDITIONAL EXAMPLES, GO TO PAGE 28

### DID YOU KNOW?

The removal of solid grates or, at a minimum, their conversion to the open-mesh type is required of all Boston Main Streets and all Department of Neighborhood Development commercial projects.

The Boston Zoning Code does not allow the installation of new solid type grates. Some neighborhood zoning prohibits any grates mounted on the exterior. Refer to Neighborhood district Regulations for requirements of an area.

## STOREFRONT DESIGN GUIDELINES

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- Remove exterior roll-down grates and grate boxes whenever possible.
- Mount new mesh grates inside the windows, if they are needed for security, making sure that the grates and their housing is located as unobtrusively as possible.
- Add extra lighting on the building and/or street to deter crime as well as using motion activated lights to illuminate dark areas at night.
- Add decorative metal grates to secure a vestibule area.
- Consider installing electronic alarm systems in combination with laminated safety glass to provide an extra measure of security.



- Don't install solid roll-down grates.



STAFF  
RECOMMENDATION

## **MENDATION**

Staff does not recommend approval of the request.

## **DELIBERATION**

I move that the request for a departure for the form based code section of the zoning ordinance to allow new glass windows without a visual light transmittance of at least 70% be (approved/denied).



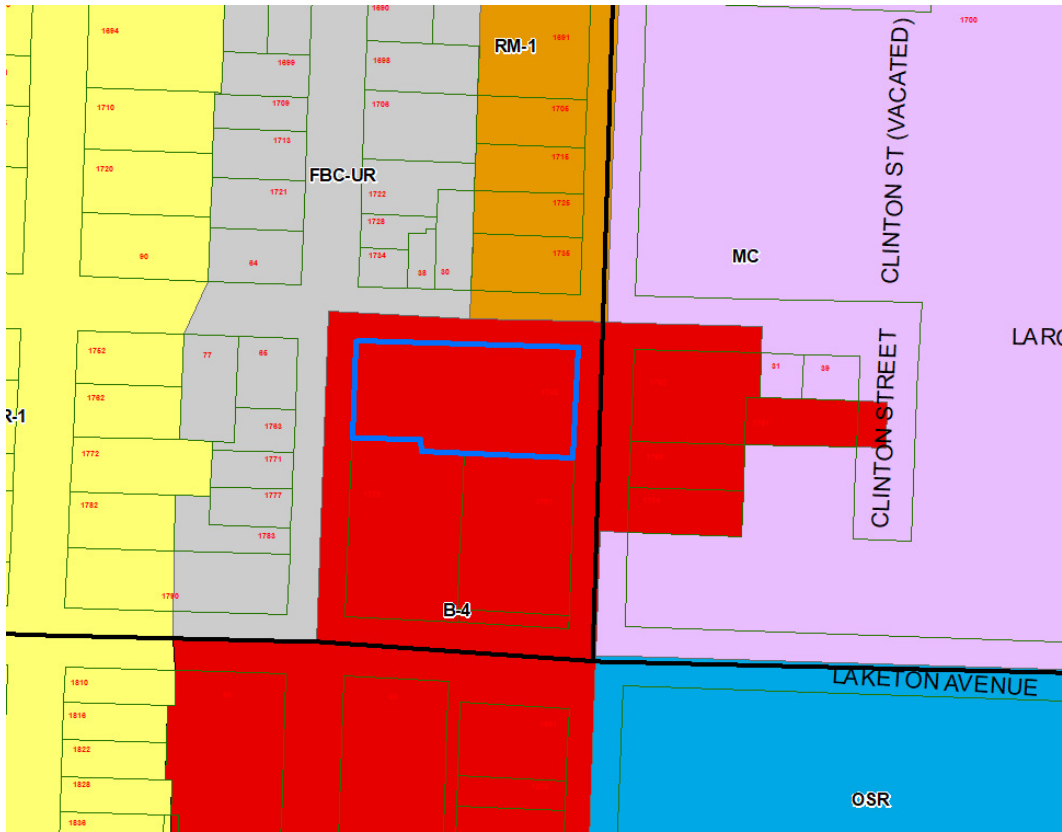
## **SUMMARY**

1. The property is zoned B-4, General Business.
2. Crematories are allowed as a Special Use Permitted in B-4 districts.
3. There are no building additions associated with this project. There are two buildings on site. The crematory would be placed in the building to the south (not the building on the corner).
4. Notice was sent to applicants within 300 feet of the property. At the time of this writing, staff had not received any comments from the public.

**Crematory to be place in the building on the left**



## Zoning Map



## Aerial Map



**STAFF RECOMMENDATION**

Staff recommends approval of the request.

**DELIBERATION**

I move that the request for a special use permit to operate a crematory at 1765 Peck St be (approved/denied).